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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 OMNI INNOVATIONS, LLC, *et al.*,

10 Plaintiffs,

11 v.

12 BMG COLUMBIA HOUSE, INC.,
et al.,

13 Defendants.

No. C06-1350JCC

ORDER

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15 This matter comes before the Court under Local General Rule 8(c). Plaintiff
16 James S. Gordon filed a “Motion for Recusal of the Honorable John C. Coughenour” in the
17 above-captioned matter. Dkt. # 45. Judge Coughenour declined to recuse himself voluntarily
18 and the matter was referred to the Chief Judge for review. Dkt. # 47. Plaintiff’s motion is
19 therefore ripe for review by this Court.

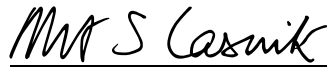
20 Plaintiff’s motion is virtually identical to the motions he filed in Omni Innovations,
21 LLC v. Smartbargains.com LP, C06-1129JCC (Dkt. # 35), and Omni Innovations, LLC v.
22 Inviva, Inc., C06-1537JCC (Dkt. # 45). For the reasons stated in the undersigned’s order of
23 October 6, 2009, in the Smartbargains.com matter (C06-1129JCC (Dkt. # 39)), Judge
24 Coughenour’s impartiality cannot reasonably be questioned in this matter.¹ There being no
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26 ¹ Plaintiff moved to strike BMG Columbia House's opposition to the motion for recusal on the
ground that counsel for defendant has not properly appeared in this action. Plaintiff misapprehends the

ORDER

1 evidence of bias or prejudice, plaintiff's request to remove Judge Coughenour is DENIED.

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3 Dated this 5th day of November, 2009.

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5 Robert S. Lasnik
6 Chief Judge, United States District Court
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25 record. Defendant has been represented by attorney Roger Townsend since the Joint Status Report was
26 filed on March 21, 2007. When Mr. Townsend changed law firms later that year, he notified the Court
and plaintiff's then-counsel of the change and provided his new address. Dkt. # 24. There being no *ex*
parte communications or "basic unfairness in the current system," (Dkt. # 43 at 2), plaintiff's motion to
strike is DENIED.